

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)
)
) INDICTMENT NO. 05-10039-NG
)
v.)
)
ARCENIO POCHE-CHACON)
aka ANDRES DEL ROSARIO ALAYON)

DEFENDANT'S ASSENTED TO MOTION TO CONTINUE
HEARING ON MOTION TO SUPPRESS

Arcenio Poche-Chacon (the "Defendant"), in the above-numbered Indictment and through Counsel, moves this Court to the hearing on this matter.

In support of this motion the defendant's counsel states that he is currently engaged in trial in the matter of United States v. Mazzola, et al before Judge Stearns and expects this case to still be on trial on the currently scheduled hearing date in this matter, November 30, 2005.

Respectfully submitted,
ARCENIO POCHE-CHACON,
By his Counsel:

'/s/Walter H. Underhill, Esquire'
WALTER H. UNDERHILL
66 Long Wharf
Boston, Massachusetts 02110
(617) 523-5858

DATED: November 23, 2005

SPEEDY TRIAL WAIVER

The defendant agrees that the time from November 30, 2005 until the hearing on the defendant's motions to suppress is excludable time under the Speedy Trial Act and hereby waives said time.

SIGNED: '/s/Walter H. Underhill, Esquire'
 WALTER H. UNDERHILL, ESQ.

RULE 7.1 CERTIFICATION

The parties have had an opportunity to confer on this motion and the motion is assented to by the attorney for the Government, Theodore Chuang, Esquire.

SIGNED: ‘/s/Walter H. Underhill, Esquire’

DATE: November 23, 2005